

## **REMARKS**

### **Amendments**

Claim 1 is amended to correct the typographical error in formula A. See, e.g., formula A at page 7. Claim 1 is also amended to define alkyl and aryl in accordance with descriptions at pages 16 -17 and to define analogue and derivative in accordance with the descriptions at pages 17 - 18. In addition, for purposes of providing express antecedent basis for terms used in dependent claims, claim 1 is amended to refer to the product anomer and the product mixture resulting from stereoselective hydrolyzation. Claims 2-5 are amended to refer expressly to "said unhydrolysed starting material," and claims 6-9 are amended to expressly refer to "said anomer product." Claims 14-16 are amended to use language in accordance with conventional US practice and to conform to the language of amended claim 1. These amendments do not narrow the scope of the claims.

New claims 17-50 are directed to further aspect of applicants' invention and are supported throughout the disclosure. See, e.g., the original claims, pages 9-11, and pages 16-18.

### **Obviousness-Type Double Patenting Rejection**

Claims 1-16 are rejected on grounds of obviousness-type double patenting in view of claims 1-19 of Cimpoia et al. (US 6,541,625). Applicants wish to hold in abeyance a response to this rejection until such time as the claims are otherwise indicated as allowable.

However, it is noted that the claims of US ' 625 do not recite cholesterol esterase, ESL-001-02, horse liver esterase, bovine pancreatic protease,  $\alpha$ -chymotrypsin, protease from *Streptomyces caespitosus*, protease from *Aspergillus oryzae*, proteinase from *Bacillus licheniformis*, protease from *Streptomyces griseus*, acylase from *Aspergillus melleus*, proteinase from *Bacillus subtilis*, ESL-001-05, pronase protease from *Streptomyces griseus*, lipase from *Rhizopus arrhizus*, lipoprotein lipase from *Pseudomonas* species type B, and bacterial proteinase. Compare claims 11, 12, 17-20, 22-23, 25-32, 35-38, and 40-50. Reconsideration of the rejection is requested.

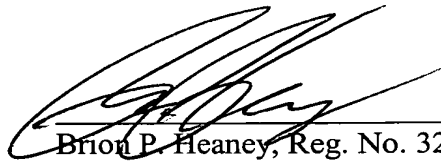
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**Rejection Under 35 USC §112, second paragraph**

As noted above, the claims are amended to correct obvious typographical errors, provide express antecedent basis for terminology and to use language in accordance with conventional US practice. The language of the claims is more than sufficiently definite to one of ordinary skill in the art. The enzymes ESL-001-002 and ESL-001-005 are known in the art by these designations and are members of an esterase/lipase family of enzymes available from Diversa Corp of San Diego, Calif. See, e.g., the Janes et al. article of record.

Withdrawal of the rejection is respectfully requested.

Respectfully submitted,



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